

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

In re: **#56**

RONDA M. SMITH,

Debtor.

) Case No. 18-40978-705
) Honorable Charles E. Rendlen, III
) Chapter 7
)
) **ORDER GRANTING TRUSTEE'S**
) **EMERGENCY MOTION TO COMPEL**
)
) Hearing Date: July 17, 2018
) Hearing Time: 9:30 a.m.

ORDER

Trustee's Emergency Motion to Compel ("Motion") having been presented for hearing; appearances having been made by Debtor, in person, and Trustee, through counsel, the Court being duly advised in the premises and taking notice of the history of this case, finds good cause shown to grant the Motion; therefore,

IT IS HEREBY ORDERED that the Trustee's Emergency Motion to Compel is GRANTED; and it is further

ORDERED that Debtor shall have from the entry of this Order through 5 p.m. (CT) on August 7, 2018 to submit one or more offers to, negotiate with, and enter into an agreement with Trustee to buyout the equity in the Real Property,¹ and, during this exclusive period, Trustee shall not list the Real Property for sale; and it is further

ORDERED that, notwithstanding the foregoing, Trustee is under no obligation to accept any offer that he does not believe is in the best interest of the bankruptcy estate; and it is further

ORDERED that, in the event a settlement is not reached between Trustee and Debtor concerning the Real Property, Debtor shall contact Trustee's realtor, as identified in the Motion, schedule an appointment for the realtor to visit the real property located at 4928 Murdoch, St. Louis, Missouri 63109 (the "Real Property") for purposes of listing/selling the Real Property,


¹ All capitalized terms shall be defined as in the Motion, unless stated to the otherwise herein.

and be present for and allow the realtor access to the interior and exterior of the Real Property on the date and time of the scheduled appointment on or before August 14, 2018; and it is further

ORDERED that, in the event the Debtor fails to abide by the directives contained in the foregoing paragraph, Trustee shall be entitled to file a Notice of Default and Hearing with this Court, no later than August 21, 2018, advising of the nature of Debtor's default, the communications between Trustee and Debtor since the entry of this Order and any other facts that may be relevant to the matter at hand and scheduling a hearing for September 11, 2018, at 9:30 a.m. for this Court to hear testimony and for Debtor to show cause why this Court should not require Debtor to vacate the Real Property, issue sanctions and/or take such other action in this case; and it is further

ORDERED that, in the event a settlement is not reached, a Notice of Default and Hearing is not filed by Trustee due to Debtor's compliance with the foregoing provisions of this Order and the Real Property is listed for sale by Trustee, the Debtor shall continue to cooperate with Trustee and his real estate agent, in every respect, concerning the listing and eventual sale of the Real Property located at 4928 Murdoch, St. Louis, Missouri 63109, including, but not limited to, allowing the realtor and other necessary parties to enter the premises for inspections and appraisals, regularly paying the bills, maintaining the property in its present condition, maintaining adequate insurance, leaving the premises when the real estate agent and/or buyer's various agents are present, vacating the premises when the Real Property is sold, and leaving the Real Property in a swept and reasonably clean condition when it is shown and sold.

DATED: July 19, 2018
St. Louis, Missouri 63102
mtc


CHARLES E. RENDLEN, III
U.S. Bankruptcy Judge

Order Prepared By:

Brian J. LaFlamme
8909 Ladue Road
St. Louis, MO 63124

Copies to:

United States Department of Justice
U.S. Trustee's Office
111 S. 10th Street, Ste. 6353
St. Louis, MO 63102

David A. Sosne
8909 Ladue Road
St. Louis, MO 63124

Ronda M. Smith
4928 Murdoch
St. Louis, MO 63109

Nationstar DBA Mr. Cooper
350 Highland Drive
Lewisville, TX 75067

Regional Acceptance
655 Craig Road
Suite 348
Creve Coeur, MO 63141

Atlas Acquisitions LLC
294 Union St.
Hackensack, NJ 07601
Attn: Avi Schild

Michael J. Watton,
Christopher D. Lee
Watton Law Group
301 West Wisconsin Avenue, 5th Floor
Milwaukee, WI 53203

Metropolitan St. Louis
Sewer District
2350 Market Street
St. Louis, MO 63105-2555

Mr. Cooper/Nationstar Mortgage, LLC
Attn: Bankruptcy Dept.
PO Box 619094
Dallas, TX 75261-9094

Regional Acceptance
655 Craig Road
Suite 348
St. Louis, MO 63141

John G. Heimos
10805 Sunset Office Drive
Suite 300
St. Louis, MO 63127